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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

KNOWLIN, THJUAN P

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/235,065

Applicant(s)

DENTON ET AL

Examiner

Thjuan P. Knowlin

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 67-80,82-97 and 99-118 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 67-80,82-97 and 99-118 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on September 27, 2005 has been entered. No claims have been amended. Claims 1-66, 81, and 98 have been cancelled. No claims have been added. Claims 67-80, 82-97, and 99-118 are still pending in this application, with claims 67, 84, 100, 105, and 111 being independent.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 67-80, 82-97, and 99-118 are rejected under 35 U.S.C. 103(a) as being anticipated by Blaha (US 5,469,504), in view of Curtis et al (US 6,560,707).
3. In regards to claims 67, 71, 72, 75, 84, 85, 88, 89, 92, 100, 101, 105, 106, and 111, Blaha discloses a method of transferring a telephone call and associated data (See col. 2 lines 32-50 and col. 2-3 lines 65-8), comprising: receiving on a workstation (See Fig. 1 and display terminal 22A) that is connected to a telephone (See Fig. 1 and agent unit 18A) call, a request to transfer the telephone call to a destination (See Fig. 1 and agent unit 18B) external to the workstation (See col. 2-3 lines 65-8); the workstation establishing a data communications link directly between the workstation and the

destination (See col. 2-3 lines 65-8 and col. 6 lines 39-65); the workstation transferring data (e.g. customer information) associated with the telephone call to the destination via the communications link (See col. 2 lines 32-50 and col. 3 lines 9-28); and requesting from the workstation that a switch (See Fig. 1 and subnetwork switch 14B) external to the workstation transfer the telephone call to the telephone address (e.g. telephone number) of the destination (See col. 6-7 lines 40-14). Blaha, however does not disclose the workstation receiving from the destination a telephone address of the destination. Curtis, however, does disclose two workstations (See Fig. 1 and client workstations 4) being in direct communication with each other (See col. 5 lines 35-42). The workstations are able to communicate in a collaborative environment (See Fig. 1 and collaborative environment 10), through audio, video, text, and graphics (See col. 5 lines 29-34). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ this feature within the system, as a way of allowing the workstations to directly communicate with each other, and provide needed or wanted information to the other, without requiring the need of a "mediator", such as a host computer. Thus, in the combination, a first workstation (client workstation 4 in Curtis) may ask for and obtain the telephone address of a second workstation (client workstation 4 in Curtis) via the direct communication link, and then the first workstation may transfer a call to the second workstation as taught by Blaha.

4. In regards to claims 68, 102, and 112, Blaha discloses the method, wherein: the telephone call is connected to a telephone of the workstation (col. 5 lines 33-43); and

the telephone address is a telephone number of a telephone of the destination (col. 6 lines 38-46).

5. In regards to claims 69, 86, 103, and 113, Blaha discloses the method, wherein: the workstation establishes the communications link with a presently-available one of a plurality of workstations included in the destination (col. 2 lines 32-50 and col. 3-4 lines 61-2).

6. In regards to claims 70, 87, 104, 107, and 114, Blaha discloses the method, wherein: the workstation establishing a data communications link comprises the steps of: the workstation requesting a data address of the destination from a destination selector; the destination selector selecting a data address of the destination from one of a plurality of destination data addresses; the destination selector providing the selected data address to the workstation; and the workstation establishing the communications connection with the selected data address of the destination (col. 6 lines 38-65).

7. In regards to claims 73, 83, and 90, Blaha discloses the method, further comprising: receiving a call transfer notification from the destination; and disconnecting the communications link with the destination after receiving the call transfer notification (col. 7 lines 31-52).

8. In regards to claims 74, 91, and 115, Blaha discloses the method, further comprising: determining a profile for the telephone call; referencing data in a destination selector to determine an appropriate data address for the data associated with the telephone call; and thereafter establishing the data communications link with the destination (col. 8 lines 33-55).

9. In regards to claims 76, 77, 78, 93, 94, 95, 108, 109, 110, 116, 117, and 118, Blaha discloses the method, wherein the selector comprises a location table containing an ordering of addresses and corresponding call handling applications (col. 4 lines 35-54 and col. 8-9 lines 33-2).

10. In regards to claims 79 and 96, Blaha discloses the method, wherein in the requesting step, the request to transfer the telephone call is sent to a format suitable for receipt by a computer-telephone interface link to a private branch exchange and wherein the workstation establishing step comprises: identifying a call-handling application associated with the destination (col. 4 lines 18-30); and determining whether the call-handling application is presently active (col. 8 lines 33-55).

11. In regards to claims 80, 82, 97, and 99, Blaha discloses receiving client information from a database, wherein the client information comprises the data in the transfer request (col. 5 lines 33-50 and col. 8 lines 21-55).

Response to Arguments

12. Applicant's arguments filed 09/27/05 have been fully considered but they are not persuasive. Applicants argue that Blaha fails to teach or suggest a first agent workstation establishing a data communications link directly with a target agent workstation, the first agent workstation transferring the data directly to the target agent workstation, the first agent workstation receiving from the target agent workstation a telephone number, and the first agent workstation requesting a switch to transfer the call to the telephone number of the second agent workstation. However, the terms

being used by the Applicants are not recited in the claims. For example, the claims do not recite a "first agent workstation", a "target agent workstation", or a "second agent workstation". Furthermore, Blaha does teach and suggest the limitations recited in the claims, such as receiving on a workstation (See Fig. 1 and display terminal 22A) that is connected to a telephone (See Fig. 1 and agent unit 18A) call, a request to transfer the telephone call to a destination (See Fig. 1 and agent unit 18B) external to the workstation (See col. 2-3 lines 65-8); the workstation establishing a data communications link directly between the workstation and the destination (See col. 2-3 lines 65-8 and col. 6 lines 39-65); the workstation transferring data (e.g. customer information) associated with the telephone call to the destination via the communications link (See col. 2 lines 32-50 and col. 3 lines 9-28); and requesting from the workstation that a switch (See Fig. 1 and subnetwork switch 14B) external to the workstation transfer the telephone call to the telephone address (e.g. telephone number) of the destination (See col. 6-7 lines 40-14). Examiner, also, believes that claims 67-80, 82-97, and 99-118, as written, could simply read on text messaging or a chat session between two workstations/agents. For example, a first workstation/agent wanting to transfer a call to a second workstation/agent, could simply text message or set up a chat session with the second workstation/agent, as a way of requesting the telephone number of the second workstation/agent. The second workstation/agent could then text or chat his or her telephone number to the first workstation/agent, in order for the call to be transferred to his or her workstation. Claims 67-80, 82-97, and 99-118, need to more clearly and precisely state that the workstation, itself, is what is

performing the data communications, because as written, the claims could simply read on an agent in communication with another agent through text messaging or a chat session. Applicants further argue that as can be seen from Fig. 1, of Blaha, the agents units 18A are clearly separate and distinct from the subnetwork switch A. Examiner agrees with this argument, which is why Curtis was used to disclose and teach this limitation. Curtis discloses two workstations (See Fig. 1 and client workstations 4) being in direct communication with each other (See col. 5 lines 35-42). The workstations are able to communicate in a collaborative environment (See Fig. 1 and collaborative environment 10), through audio, video, text, and graphics (See col. 5 lines 29-34). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ this feature within the system, as a way of allowing the workstations to directly communicate with each other, and provide needed or wanted information to the other, without requiring the need of a "mediator", such as a host computer. Thus, in the combination, a first workstation (client workstation 4 in Curtis) may ask for and obtain the telephone address of a second workstation (client workstation 4 in Curtis) via the direct communication link, and then the first workstation may transfer a call to the second workstation as taught by Blaha.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hales, II et al (US 5,754,776) teach re-prioritizing background

data transfers in multipoint conferencing. Hales, II et al (US 5,802,282) teach recovering missing data during background data transfer in multipoint conferencing.

14. This is an RCE of applicant's earlier Application No. 09/235,065. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

15. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2642

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin


WILLIAM J. DEANE, JR.
PRIMARY EXAMINER